

Claims

1 (currently amended). A fence, comprising:

a first plurality of posts, comprising

a tubular first terminal post at least partially filled with ballast

and supported by a first anchor substrate;

a tubular second terminal post, spaced from the first terminal

post, at least partially filled with ballast and supported by

a second anchor substrate; and

at least one first intermediate post, each first intermediate post

situated between the first and second terminal posts;

a first rail system supported by the first plurality of posts so as to form

a barrier between each adjacent pair of the first plurality of posts,

the first rail system having a longitudinal internal recess formed

therein and a first end and an opposed second end; and

a first rail cable assembly comprising:

a first cable having a first end embedded in the ballast within the

first terminal post and an opposed second end embedded in

the ballast within the second terminal post, the first cable

extending within at least a portion of the internal recess of

the first rail system;

a first anchor substrate situated adjacent the first end of the first rail system which anchors the first cable adjacent its first end; and

a second anchor substrate situated adjacent the second end of the first rail system which anchors the first cable adjacent its first end.

2 (currently amended). The fence of claim 1 in which the first rail cable assembly further comprises:

a first anchor at least partially embedded in the first anchor substrate in the ballast within the first terminal post and attached to the first cable adjacent its first end; and

a second anchor at least partially embedded in the second anchor substrate in the ballast within the second terminal post and attached to the first cable adjacent its second end.

3 (currently amended). The fence of claim 1, in which the first plurality of posts comprises:

a first terminal post and a spaced second terminal post; and at least one intermediate post, each intermediate post situated between the first and second terminal posts; each first intermediate post is

characterized as having a first cable passageway extending therethrough;

and in which the first cable is further characterized as extending through the first cable passageway of each first intermediate post.

4 (cancelled).

5 (currently amended). The fence of claim ~~4~~ 1 in which the first cable extends through the entire first rail system.

6-7 (cancelled).

8 (currently amended). The fence of claim ~~7~~ 1 in which the first terminal post is further characterized as having a first anchor slot formed in a lateral portion thereof, the first anchor slot sized to closely but clearly receive the first cable and attached first anchor therethrough, and in which the second terminal post is further characterized as having a second anchor slot formed in a lateral portion thereof, the second anchor slot sized to closely but clearly receive the first cable and attached second anchor therethrough.

9 (currently amended). The fence of claim 1, further comprising:

a second plurality of posts;

a second rail system supported by the second plurality of posts so as to form a barrier between each adjacent pair of the second plurality of posts, the second rail system vertically spaced from the first rail system and having a longitudinal internal recess formed therein and a first end and an opposed second end; and

a second rail cable assembly, comprising:

a second cable having a first end embedded in the ballast within the first terminal post and an opposed second end embedded in the ballast within the second terminal post, the second cable extending within at least a portion of the internal recess of the second rail system;

a third anchor substrate situated adjacent the first end of the second rail system which anchors the second cable adjacent its first end; and

a fourth anchor substrate situated adjacent the second end of the second rail system which anchors the second cable adjacent its first second end.

10 (cancelled).

11 (currently amended). The fence of claim 10 9 in which each of the first intermediate posts of the first and second pluralities are each characterized by vertically spaced first and second cable passageways extending therethrough.

12-13 (cancelled).

14 (currently amended). The fence of claim 9, in which the plurality of posts further comprises:

a tubular third terminal post, situated on the side of the second terminal post opposite the first terminal post and spaced therefrom, the third terminal post at least partially filled with ballast and supported by a third anchor substrate; and

at least one second intermediate post, each second intermediate post situated between the second and third terminal posts; and further comprising:

a third plurality of posts;

a third rail system supported by the second and third terminal posts and the at least one second intermediate post third plurality of posts so as to form a barrier between each adjacent pair of the third plurality of posts, the third rail system aligned with the first rail system and having a longitudinal internal recess formed therein and a first end and an opposed second end; and

a third rail cable assembly, comprising:

a third cable having a first end embedded in the ballast within the second terminal post and an opposed second end embedded in the ballast within the third terminal post, the third cable extending within at least a portion of the internal recess of the third rail system;

a fifth anchor substrate situated adjacent the first end of the third rail system which anchors the third cable adjacent its first end; and

a sixth anchor substrate situated adjacent the second end of the third rail system which anchors the second cable adjacent its first end.

15-20 (cancelled).

21 (currently amended). A fence kit, comprising:

a plurality of posts, including at least one tubular terminal post;

a plurality of rails, each rail having a longitudinal internal recess formed therein within which a cable may extend;

a first cable extensible within the internal recess of each rail; and

a first pair of anchors, each anchor attachable to the first cable;

in which the terminal post is characterized by an elongate lateral portion having a first anchor slot formed therein, the first anchor slot sized to clearly receive the first cable and an attached anchor therethrough.

22 (currently amended). The kit of claim 21 in which ~~the~~ each of the rails is situated in a separate panel, each panel comprising plural parallel rails upon which a plurality of pickets is transversely positioned.

23 (original). The kit of claim 21 in which the plurality of posts comprises at least one intermediate post, each intermediate post having a cable passageway extending therethrough, the cable passageway sized to permit clearing passage of the first cable.

24 (currently amended). The kit of claim 23 in which ~~the~~ each intermediate post is further characterized as having a second cable passageway, spaced from the first cable passageway, and further comprising:

a second cable extensible through the second cable passageways of the posts and within the internal recess of each rail; and

a second pair of anchors, each anchor attachable to the second cable.

25-26 (cancelled).

27 (currently amended). The kit of claim 26 21, further comprising:

a slot cover adapted to selectively close in which the first anchor slot is selectively closable by a slot cover.

28 (original). The kit of claim 27 in which the slot cover has a cable opening formed therein, sized to clearly receive all or part of the first cable.

29 (original). The kit of claim 21 in which each anchor is characterized by a cross-sectional profile having dimensions which substantially exceed the cross-sectional dimensions of the first cable.

30-41 (cancelled).

42 (new). The fence of claim 1, in which the plurality of posts further comprises:

a tubular third terminal post, situated on the side of the second terminal post opposite the first terminal post and spaced therefrom, the

third terminal post at least partially filled with ballast and supported by a third anchor substrate; and

at least one second intermediate post, each second intermediate post situated between the second and third terminal posts; and further comprising:

a second rail system supported by the second and third terminal posts and the at least one second intermediate post the second rail system at the same vertical position as the first rail system and having a longitudinal internal recess formed therein and a first end and an opposed second end; and

a second rail cable assembly, comprising:

a second cable having a first end embedded in the ballast within the second terminal post and an opposed second end embedded in the ballast within the third terminal post, the third cable extending within at least a portion of the internal recess of the third rail system.

43 (new). The fence of claim 42 formed from a plurality of tubular terminal posts, in which the second and third terminal posts are the closest tubular terminal posts to the first terminal post.

44 (new). The fence of claim 42 in which the first and second rail systems each engage the first terminal post at a position above ground level.

45 (new). The fence of claim 43 in which the first and second rail systems each engage the first terminal post at a position above ground level.

46 (new). The fence of claim 1 in which the first cable enters the first terminal post at an above-ground position, extends on a substantially vertical downward path therefrom, and terminates at its first end at an underground position within the first terminal post.

47 (new). The fence of claim 46 in which the first cable enters the second terminal post at an above-ground position, extends on a substantially vertical downward path therefrom, and terminates at its second end at an underground position within the second terminal post.

48 (new). The fence of claim 42 in which the first, second and third terminal posts are disposed in a non-collinear relationship.